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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,714	11/13/2002	Chu-Ming Cheng	OTMP0028USA	4266

7590 03/01/2007  
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EXAMINER
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CRUZ, MAGDA

ART UNIT	PAPER NUMBER
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2851

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/065,714

Applicant(s)

CHENG ET AL.

Examiner

Magda Cruz

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4,6 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,6 and 12-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/2/04, 4/13/06 & 12/4/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 6 and 12-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishimae et al.

Nishimae et al. (US Patent Number 6,724,546 B2) discloses:

- Regarding claims 1, 13 and 17, a light source (Figure 1A, element 1) producing a light beam to form a light path (Figure 1A, element 14); a projection lens (Figure 1A, element 12) which is disposed in the light path and projects an image, a light valve (Figure 1A, element 11) inserted in the light path between the light source (Figure 1A, element 1) and the projection lens (Figure 1A, element 12), which receives the light beam obliquely impinging from the light source to form a light spot, selects and reflects the light spot to the projection lens or predetermined directions (column 27, lines 39-50), and at least one anamorphic surface unit (i.e. deformed diaphragm; Figure 1A, element 7) placed in the light path

between the light source (Figure 1A, element 1) and the light valve (Figure 1A, element 11), and having different curvatures on one surface to offset the distortion of the light spot resulting from obliquely impinging (column 28, lines 51-60).

- Regarding claims 4, 14 and 18, the light valve is a Digital Micro-Mirror Device (column 22, lines 36-38) having an array of inclinable mirrors operated in a state selected from a group consisting of on-state, off-state, and flat-state (column 22, lines 42-46).
- Regarding claims 6, 15 and 19, the anamorphic surface unit is an anamorphic lens (Figure 22, elements 7 and 9).
- Regarding claims 12, 16 and 20, the anamorphic surface unit has a curvature in predeterminate axis for elongating the Y-axial length of the light spot in on-state, flat-state, and off-state (column 22, lines 30-46) in order to form non-overlapping elliptic light beams (this is clearly illustrated in Figure 6A).
- Regarding claims 21-23, a reflector (Figure 14A, element 2), a converging lens (Figure 14A, element 25), a color wheel (Figure 14A, element 4), an integration rod (Figure 14A, element 5), a condenser lens (Figure 14A, element 3), a relay lens (Figure 14A, element 6), and a mirror (Figure 14A, element 8) located between the light source (Figure 14A, element 1) and the light valve (Figure 14A, element 11), wherein the anamorphic surface unit is selected from a group consisting of any one surface of the reflector,

the converging lens, the condenser lens, the relay lens, and the mirror (clearly shown in Figure 14A), wherein the light path traveling sequentially through the reflector, the converging lens, the color wheel, the integration rod, and the condenser lens before passing through the relay lens (clearly illustrated in Figure 14A).

### ***Response to Arguments***

3. Applicant's arguments filed 12/04/2006 have been fully considered but they are not persuasive.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2851

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (571) 272-2114. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571) 272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Magda Cruz  
Patent Examiner

February 23, 2007

William Perkey  
Primary Examiner



NEW SHEET

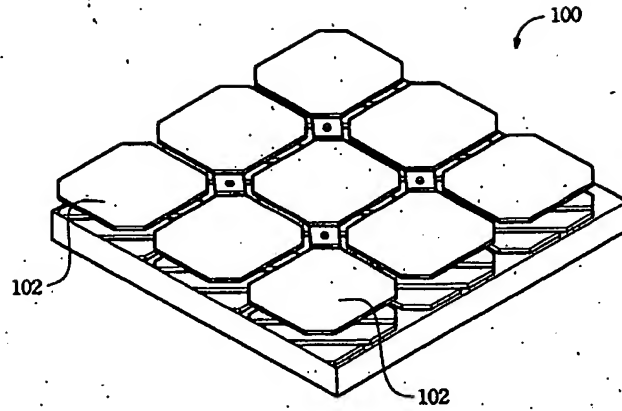


FIG. 12 A

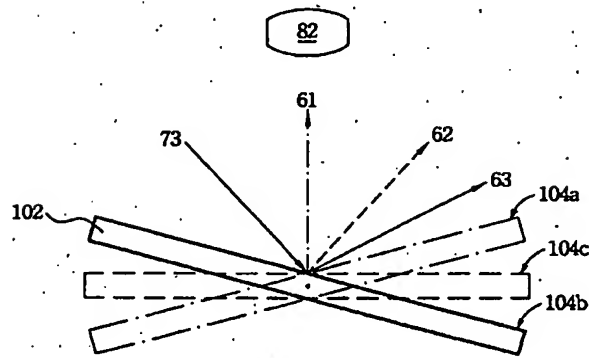


FIG. 12 B

approved  
for entry  
2/23/07  
M.C.